

CAPITAL PUNISHMENT

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Capital punishment, also called the **death penalty**, is the execution of a convicted criminal by the state as punishment for crimes known as *capital crimes* or *capital offences*. Historically, the execution of criminals and political opponents was used by nearly all societies- both to punish crime and to suppress political dissent. Among countries around the world, almost all European countries, Australia, New Zealand and Canada have abolished capital punishment. In Latin America, most states have completely abolished the use of capital punishment, while some countries, however, like Brazil, allow for capital punishment only in exceptional situations, such as treason committed during wartime. However, the United States, Guatemala, most of the Caribbean and the majority of the Asian and African countries still retain it.

For most of recorded history, capital punishments were often cruel and inhuman. Severe historical penalties include breaking wheel, boiling to death, flaying, slow slicing, disembowelment, crucifixion, impalement, crushing, stoning, execution by burning, dismemberment, sawing, scaphism, or necklacing.

The **breaking wheel** (also known as the **Catherine wheel**) was a torturous capital punishment device used in the Middle Ages and early modern times for public execution by cudgeling to death. However, it was not used for coercion through torture.

Boiling to death is a very slow and painful form of execution by torture. The condemned is stripped naked and either plunged into already boiling liquid or tied up and placed in a giant cauldron of cold liquid, under which the executioner then lights a fire, which heats the liquid until it boils. The liquid used may be water, oil, acid, tar, or even molten lead. Sikh Guru **Arjan** was put to death through this process by the Mughal authorities.

Flaying is the removal of skin from the body often referred to as '**flaying alive**.' Generally, an attempt is made to maintain the removed portion of skin intact. There are also records of people flayed after death, generally as a means of debasing the corpse of a prominent enemy or criminal, sometimes related to religious beliefs (e.g. to deny an afterlife); sometimes the skin is used, again for deterrence, magical uses etc. Flaying is distinct from **flagellation** in that flaying uses a sharp instrument, typically some knife, in an attempt to remove skin (where the pain is incidental to the operation), whereas flagellation is any corporal punishment that uses some type of whip, rod or other sharp implement in order to cause physical pain (where the possible removal of some skin is incidental to the operation). In colloquial usage, the two terms are sometimes confused.

Stoning, or **lapidation**, refers to a form of capital punishment whereby an organized group throws stones at the convicted individual until the person dies. Stoning has been used throughout history in a number of places, both in the form of community justice and also as a judicial form of capital punishment. The practice is referred to in Greek history, as well as Christian, Jewish, and Islamic texts.

Slow slicing (Lingchi), also translated as the '**slow process**,' the '**lingering death**,' or '**death by a thousand cuts**,' is a form of execution used in China from roughly 900 CE to its abolition in 1905. This kind of 'death by division' involved some degree of dismemberment while the subject was living though the actual process could not have lasted long (perhaps an hour), the condemned could likely not have remained conscious and aware (if even living) after one or two severe wounds, and the entire process could not have included more than a 'few dozen' wounds. If the condemned or their family could afford a bribe, it was not uncommon for the torturer to issue the *coup de grace* more quickly, thereby reducing the condemned person's suffering. **Banda Bairagi** was put to death through this process by the Mughal authorities.

Disembowelment (evisceration) is the removing of some or all of vital organs, usually from the abdomen and has historically been used as a severe form of capital punishment. The last organs to be removed were invariably the heart and lungs so as to keep the condemned alive (and in pain) as long as

possible. In England, the punishment of being "hanged, drawn, and quartered" was typically used for men convicted of treason. This referred to the practice of hanging a man from the neck (but removing him before death), disemboweling him, and decapitating him and dividing the body into four pieces. The man's head and quarters would often be displayed as a warning to others. As part of the disemboweling, the man was also typically castrated and emasculated and his genitals and entrails would be burned. In the Netherlands and Belgium the *vierendelen* (literally 'to divide in four'), a practice where the arms and legs were tied to horses and the abdomen was sliced open. This punishment was meant exclusively for the punishing of a person who had committed regicide. In Japan, disembowelment played a part as a method of execution or of the ritualized suicide by a samurai. In killing themselves by this method, they were deemed to be free from the dishonor resulting from their crimes. The most common form of disembowelment was referred to in Japanese as **seppuku** (where the term '*hara-kiri*,' literally '*stomach cutting*,' is regarded as vulgar), involving two cuts across the abdomen, sometimes followed by pulling out one's own innards. The act of beheading, in most cases by one's best servant, was added to this ritual suicide in later times in order to shorten the suffering of the samurai or leader, an attempt at rendering the ritual more humane.

Crucifixion is an ancient method of execution, where the condemned is tied or nailed to a large wooden cross and left to hang until dead. This form of execution was widely practiced in Ancient Rome and in neighbouring Mediterranean cultures; similar methods were invented in the Persian Empire. It has been used in various places in modern times.

Impalement is a method act of torture and execution whereby a person is pierced with a long stake. The penetration can be through the sides, from the rectum, or through the mouth. The stake would usually be planted in the ground, leaving the impaled person hanging to die. In some forms of impalement, the stake would be inserted so as to avoid immediate death, and would function as a plug to prevent blood loss- thus extending the person's agony for as many as three days. One way to achieve this gradual death is to insert the stake through the rectum deep into the body of the victim until it left the body near the right shoulder, thus avoiding damaging the heart. The term impalement is also used to describe deep stabbing wounds that occur in accidents where objects are driven through the body, for example by falling onto a spike, or being driven onto one in an automobile accident. Removing these objects presents a severe surgical challenge.

Death by crushing or pressing is a method of execution which has a long history during which the techniques used varied greatly from place to place. This form of execution is no longer sanctioned by any governing body. A common method of death by crushing was through the use of elephants throughout South and South-East Asia for over 4,000 years of recorded history, and perhaps before that.

Execution by burning has a long history as a method of punishment for crimes such as treason, heresy and witchcraft. For a number of reasons, this method of execution fell into disfavor among governments in the late 18th century; today, it is considered cruel and unusual punishment. The particular form of execution by burning in which the condemned is bound to a large stake is more commonly called **burning at the stake**.

Sawing is a method of torture and execution. The condemned was hung upside down and then sawed apart down the middle, starting at the crotch. Since the condemned was hanging upside-down, the brain received a continuous blood supply in spite of severe bleeding. The condemned would remain alive and conscious until the saw severed the major blood vessels of the abdomen, and sometimes even longer. In Asian countries, the condemned stood up while constrained and sawing started at the head, which of hardships endured by saints. According to some religious histories, the prophet **Isaiah** was executed in this manner. The Roman Emperor **Caligula** was said to particularly enjoy giving out this method of torture

Scaphism, also known as the **boats**, is an ancient Persian method of execution designed to inflict torturous death. The name comes from the Greek word *skaphe*, meaning 'scooped (or hollowed) out.' The naked person would be firmly fastened within a back-to-back pair of narrow rowboats (or in some

variations a hollowed out tree trunk), the head, hands, and feet protruding from this improvised container. The condemned was forced to ingest milk and honey to the point of developing severe diarrhea, and more honey would be rubbed on his body so as to attract insects to the exposed appendages. They would then be left to float on a stagnant pond (or alternately, simply exposed to the sun somewhere). The defenseless individual's feces accumulated within the container, attracting more insects, which would eat and breed within his or her exposed (and increasingly gangrenous) flesh. Death, when it eventually occurred, was probably due to a combination of dehydration, starvation and septic shock. Death by scaphism is painful, humiliating, and protracted. A similarly gruesome method was known as exposure in animal skin, the act of putting the condemned inside the emptied carcass of a donkey or a horse, sewing it up and leaving the corpse out in the sun. In **Tibet** this method was followed before the Chinese takeover.

Necklacing (sometimes metonymically called **Necklace**) refers to the practice of execution carried out by forcing a rubber tire, filled with gasoline, around a victim's chest and arms, and setting it on fire. The practice became a common method of lethal lynching during South Africa's anti-apartheid struggle of the 1980s and 1990s. Necklacing sentences were sometimes handed down against alleged criminals by 'people's courts' established in black townships as a means of circumventing the apartheid judicial system. Necklacing was also used to punish members of the black community who were perceived as collaborators with the apartheid regime.

In most places that practice capital punishment today, the death penalty is reserved as punishment for premeditated **murder**, **espionage**, **treason**, or as **part of military justice**. In some countries, **sexual crimes**, such as **adultery and sodomy**, carry the death penalty, as do **religious crimes** such as **apostasy**, the formal renunciation of one's religion and **blasphemy**. In many retentionist countries (countries that use the death penalty), **drug trafficking** is also a capital offense. In China **human trafficking** and serious cases of **corruption** are also punished by the death penalty. In **militaries** around the world courts-martial have imposed death sentences for offenses such as **cowardice**, **desertion**, **insubordination**, and **mutiny**.

The use of formal execution extends at least to the beginning of recorded history. Most historical records as well as various primitive tribal practices indicate that the death penalty was a part of their justice system. Communal punishment for wrongdoing generally included compensation by the wrongdoer, corporal punishment, shunning, banishment and execution. However, within a small community, crimes were rare and murder was almost always a crime of passion. Moreover, most would hesitate to inflict death on a member of the community. For this reason, execution and even banishment were extremely rare. Usually, compensation and shunning were enough as a form of justice. However, these are not effective responses to crimes committed by outsiders. Consequently, even small crimes committed by outsiders were considered to be an assault on the community and were severely punished. The methods varied from beating and enslavement to executions.

In certain parts of the world, nations in the form of ancient republics, monarchies or tribal oligarchies emerged. These nations were often united by common linguistic, religious or family ties. Moreover, expansion of these nations often occurred by conquest of neighbouring tribes or nations. Consequently, various classes of royalty, nobility, various commoners and slave emerged. Accordingly, the systems of tribal arbitration were submerged into a more unified system of justice which formalised the relation between the different "classes" rather than "tribes". The earliest and most famous example is eighteenth century BCE Babylonian **Code of Hammurabi** which set the different punishment and compensation according to the different class/group of victims and perpetrators. The **Torah (Jewish Law)**, also known as the **Pentateuch** (the first five books of the Christian Old Testament), lays down the death penalty for murder, kidnapping, magic, violation of the Sabbath, blasphemy, and a wide range of sexual crimes, although evidence suggests that actual executions were rare. A further example comes from Ancient Greece, where the Athenian legal system was first written down by **Draco** in about 621 BCE: the death penalty was applied for a particularly wide range of crimes. The word **draconian** derives from Draco's laws. In India *Arthaśāstra* and *Manu Smṛiti* became widely used law books.

Similarly, in medieval and early modern Europe, before the development of modern prison systems, the death penalty was also used as a generalized form of punishment. For example, in 1700s Britain, there were 222 crimes which were punishable by death, including crimes such as cutting down a tree or stealing an animal. Thanks to the notorious **Bloody Code**, life in 18th century (and early 19th century) Britain was a hazardous place. For example, **Michael Hammond and his sister, Ann**, whose ages were given as 7 and 11, were reportedly hanged at King's Lynn in 1708 for theft. The local press did not, however, consider the executions of two children newsworthy.

Despite its wide use, calls for reform were not unknown. The twelfth century Moses Maimonides wrote, "It is better and more satisfactory to acquit a thousand guilty persons than to put a single innocent man to death." Although thousands are executed in China each year in the modern age, there was a time in Tang Dynasty China when the death penalty was actually abolished altogether in 747 CE for a few years.

The 20th century was one of the bloodiest of the human history. Massive killing occurred as the resolution of war between nation-states. A large part of execution was summary execution of enemy combatants. Also, modern military organisations employed capital punishment as a means of maintaining military discipline. In the past, cowardice, absence without leave, desertion, insubordination, looting, shirking under enemy fire and disobeying orders were often crimes punishable by death. One method of execution since firearms came into common use has almost invariably been **firing squad**. Moreover, various authoritarian states- for example those with fascist or communist governments- employed the death penalty as a potent means of political oppression. Partly as a response to such excessive punishment, civil organisations have started to place increasing emphasis on the concept of human rights and abolition of the death penalty.

Capital punishment is a very contentious issue in some cultures. Supporters of capital punishment argue that it deters crime, prevents recidivism, and is an appropriate form of punishment for the crime of murder. Opponents of capital punishment argue that it does not deter criminals more than life imprisonment, violates human rights, leads to executions of some who are wrongfully convicted, and discriminates against minorities and the poor.

The issue of capital punishment involves determining whether the execution of criminals is ever justified, and, if so under what circumstances it is permissible. Philosophical defenses of capital punishment typically draw from more general discussions of punishment. The issue of *corrective justice* in legal philosophy distinguishes between two principal theories of punishment: **utilitarian and retributive**. Accordingly, defenses of capital punishment are usually either utilitarian or retributive in nature. By contrast, most criticisms of capital punishment seek to expose flaws in popular justifications of capital punishment. Thus, in the absence of any good reason for executing a criminal, the critic of capital punishment concludes that the criminal should be allowed to live.

Perhaps the most common defenses of capital punishment are on utilitarian grounds. For utilitarians, punishment in general is justified only insofar as it creates a greater balance of happiness vs. unhappiness. From the utilitarian perspective, then, capital punishment is justified if it (1) prevents the criminal from repeating his crime; or (2) deters crime by discouraging would-be offenders. For, both of these contribute to a greater balance of happiness in society. There are several immediate problems with this line of reasoning. First, the burden of proof is on the defender of capital punishment to show that the same effects could not be accomplished with less severe punishment, such as life imprisonment. This is especially pertinent since the goal of utilitarianism is to reduce as much unhappiness as possible and this entails imposing the least severe of two possible punishments when everything else is equal. Italian political theorist Cesare Beccaria (1738-1794) argues this point in *On Crimes and Punishment* (1764), one of the first systematic critiques of capital punishment from the utilitarian point of view. According to Beccaria, capital punishment is not necessary to deter, and long term imprisonment is a more powerful deterrent since execution is transient.

A second and more basic problem with utilitarian defenses of capital punishment involves the fact gathering process. Since the utilitarian is making a factual claim about the beneficial social consequences of capital punishment, then his claim should be backed by empirical evidence. In the absence of such reliable empirical evidence, the utilitarian position must be dismissed, as is the case with any unverified factual claim. "Empirical evidence" in general is of two varieties: anecdotal evidence and scientific evidence. Anecdotal evidence involves isolated observations which appear to correlate two states of affairs, which, in this case, would be **(a) capital punishment, and (b) improved social conditions**. Given the gravity of the issue at stake with capital punishment, namely, people's lives, anecdotal evidence is an insufficient ground for establishing a causal connection between capital punishment and improved social conditions. Instead, scientific studies are needed. Several studies have been conducted in the past few decades regarding such a connection, but, unfortunately, the methodology used on social questions of this nature is necessarily imprecise. Ideally, a truly scientific study of the question would involve a comparison between two otherwise identical societies in which capital punishment was not used in the control group but was used in the test group. The problem, though, is that it is a practical impossibility to isolate two otherwise identical societies upon which to conduct the study. An almost endless variety of differing factors in the respective groups will make the results inconclusive. Not surprisingly, the recently conducted empirical studies in fact draw conflicting conclusions. This basic problem in the fact gathering process not only applies to the utilitarian defender of capital punishment, but also to the utilitarian critic of capital punishment who might, for example, argue that society benefits more from life imprisonment sentences.

A third problem with utilitarian justifications of punishment, as pointed out by contemporary political philosopher Adam Bedeau, concerns the ratio of innocent lives saved per execution. Perhaps, in the best possible situation, executing five of the most dangerous convicts will result in saving five innocent lives in the future. As the number of executions increases, however, the number of innocent lives saved will not increase proportionally. Eventually, it may take one thousand additional executions to save only one additional innocent life. So, eventually it must be determined how many executions justify the saving of one innocent life. This, though, is virtually impossible to determine, yet utilitarians need this information to successfully calculate the overall social benefit of capital punishment.

Finally, critics of capital punishment sometimes argue on utilitarian grounds that the expense involving executions is substantially greater than the cost of life imprisonment. The costs of appeals and legal counseling are the principal expenses. Thus, the extra financial burden of capital punishment contributes to a greater balance of unhappiness vs. happiness. There are three problems with this argument. First, such financial calculations typically do not take into account that much of the legal counseling for death row inmates is *pro bono* which does not cost the taxpayer. Second, even if this is a true description of the cost of capital punishment in the United States and other developed countries, it is not representative of the cost of criminal executions world wide. Indeed, one might reasonably expect that in many developing countries executions are substantially cheaper than life imprisonment costs. Assuming that critics of capital punishment object to its practice in any country, this argument not only lacks universal application, but might in fact be used as an argument in favor of capital punishment in countries with less expensive appeals processes. Finally, even if executing criminals is more costly than life imprisonment, it is not immediately obvious that the extra expense either contributes to a greater balance of social unhappiness or even tips the balance towards unhappiness. Society may actually be pleased with, or at least content with, the value it is getting for its capital punishment dollar.

The **retributive notion of punishment** in general is that (a) as a foundational matter of justice, **criminals deserve punishment, and (b) punishment should be equal to the harm done**. In determining what counts as "punishment equal to harm," theorists further distinguish between two types of retributive punishment. First, *lex talionis* retribution involves punishment in kind and is commonly expressed in the expression **"an eye for an eye."** Second, *lex salica* retribution involves punishment **through**

compensation, and the harm inflicted can be repaired by payment or atonement. Historically, capital punishment is most often associated *lex talionis* retribution.

Critics of classic *lex talionis*-oriented capital punishment point out several problems with this view. First, as a practical matter, *lex talionis* retribution cannot be uniformly applied to every harm committed and as a strict formula of retribution, *lex talionis* punishment may even be inadequate. For example, if a terrorist or mass murderer kills ten people, then taking his single life is technically not punishment in kind. Further, critics of capital punishment argue that the true basis of retributive justifications of capital punishment is not at all foundational, but instead rooted in psychological feelings of vengeance. Even if we grant that vengeance is a natural human emotion, critics argue that it is an impulse which should be tempered, just as we do natural feelings of fear, lust, and greed. Laws about punishment, then, should not be grounded in our extreme feelings, but should instead be based on our more tempered ones. When we moderate our natural feelings of vengeance, there should be little inclination to execute criminals.

Immanuel Kant offered an alternative retributive justification of capital punishment which is not rooted in vengeance. Instead, for Kant, capital punishment is based on the idea that every person is valuable and worthy of respect because of their ability to make rational and free choices. The murderer, too, is worthy of respect; we, thus, show him respect by treating him the same way he declares that people are to be treated. Accordingly, we execute the murderer. A key problem with Kant's justification of capital punishment is that it tells us what to do with only ideally rational killers, although many killers are not rational.

Some standard arguments for capital punishment do not fall neatly into either the retributive or utilitarian categories. For example, **John Locke's** famous defense of capital punishment has both a retributive and utilitarian component. Locke argued that a person **forfeits his rights** when committing even minor crimes. Once rights are forfeited, Locke justifies punishment for two reasons: (1) from the retributive side, criminals deserve punishment, and, (2) from the utilitarian side, punishment is needed to protect our society by deterring crime through example. Thus, society may punish the criminal any way it deems necessary so to set an example for other would-be criminals. This includes taking away his life. Under the influence of Locke's theory of the forfeiture of rights, English law had some 200 capital offenses by 1800. Critics of Locke argue that there are alternatives to his assumption that criminals forfeit their right to life. It may be, instead, that criminals forfeit other rights (such as freedom to travel), yet the right to life is simply not forfeitable. Beccaria, for example, argued that people did not sacrifice their rights to life when entering into the social contract.

Another defense of capital punishment is based on an analogy that **capital punishment is to the political body just as self-defense is to the individual**. The reasoning is that, in dangerous circumstances, the individual is justified in protecting himself by self-defense with deadly force. Since society (or the political body) is like a large person, society, too, is justified in using deadly force through capital punishment. However, for this analogy to be a successful, it must parallel the accepted principle that self-defense with deadly force is **justified only when there is no alternative open to us (such as fleeing)**. This means **we must see whether any alternative to capital punishment is open (such as long term imprisonment)**. Further, the self-defense with deadly force is grounded in the moral right of self-preservation. However, only people, properly speaking, have moral rights; abstract entities and institutions such as governing bodies do not. Consequently, the analogy between capital punishment and self-defense fails it a basic level.

As noted, most arguments against capital punishment are based on exposing flaws in defenses of capital punishment. However, some are more direct attacks, such as that capital punishment should be abolished since it is undignified, inhumane, or contrary to love. Corporal punishment, such as flogging, and extreme types of capital punishment, such as burning at the stake, are no longer accepted practices because of their indignity. By parity of reasoning, capital punishment should be abolished too. However,

even if we grant that capital punishment violates our duty to treat people with dignity, humanity, and love, that alone may not be a sufficient reason for abolishing the practice. Dignity, humanity and love are foundational moral goods and as such are *prima facie* in nature. That is, they are each morally binding on face value until a stronger duty emerges with which it conflicts, thereby creating a moral dilemma. Defenders of capital punishment argue that retributive justice is one such conflicting duty. For, even though we are duty bound to acknowledge a criminal's dignity, the duty of retribution is also present and in fact outweighs the other duties.

A second direct attack on the practice of capital punishment is that, at least at present, it is virtually impossible to apply death sentences fairly. People on death row are typically poor and thus could not afford the best defense at their initial trial. For instance, in the US, Afro-Americans or Hispanics as ethnic minorities are also likely to receive more strict judgments from juries than their white counterparts who commit the same crime. In addition to problems of class bias, the practice of capital punishment is further tainted by the tragic fact that innocent people are sometimes executed. Eliminating capital punishment not only prevents their wrongful execution, but gives them more time to clear their names and return to society.

Buddhist View

As with all religions, Buddhism teaches and is lived at many different levels. From an ultimate perspective, Buddhists believe that our lives are part of a whole flow and chain of existence that goes beyond a single birth and death, and that ordinary beings do not know their past births or the next stages they will go through. Buddhists believe that in the end all beings will attain enlightenment and Nirvāṇa, and that their growth towards that end and their destiny on the way is determined by their karma. The idea of karma teaches that 'what you sow, you will reap' and that 'you reap what you sow.' Morally no deed, speech or thought is ever wasted. Every good motive bears good fruit at some stage in the long series of births and deaths, and contributes to enlightenment. Bad karma might mean rebirth in the hell states, but none of these is permanent.

This ultimate perspective and the law of karma leads Trevor Ling to say:

It is worth noting that there is no support for 'punishment' or a penal attitude in Buddhist social ethics- no cutting off the hand that steals, no capital punishment, no stoning of a woman accused of adultery, no criminal asylums. This lack of support for punitive laws is understandable in view of the Buddhist analysis of the human condition, which entails the idea that the only effective punishment is that which we inflict upon ourselves- sooner or later (Trevor Ling, 1980: 130).

However, on the level of ordinary life and social organization, Buddhists are involved in systems of rewards and punishments for good and bad action. The sharpest issue is always that of capital punishment, the taking of human life for crimes such as murder. Buddhists argue about its appropriateness or helplessness in terms of prevention of crime, in the following ways. First, there is the fear that there would be more violence and murder, without the preventative threat of the death penalty. Then it is acknowledged that the decision must depend upon the state of development of a particular society, and that education is necessary to help societies advance ethically. Some Buddhists suggest alternatives to death penalties, such as banishment to prison islands. Others suggest that it is left on the statute books as a threat, but as far as possible never implemented. A very strong point is made by Buddhists who say that the whole concept of retribution is counter to the Buddhist teaching of *mettā* (loving kindness) and *karuṇā* (compassion). Abstaining from the destruction of life encourages the development of compassion for all beings. Moreover, Buddhism teaches that all sentient beings (*sattva*) are fundamentally good. Some Buddhists would say that capital punishment can never be approved, as nothing can excuse the taking of

life (Y.Tamura, 1960: Chapter IX). All sentient beings possess what is known as **Buddha-nature** (*buddhatā*). Having Buddha-nature means that all sentient beings can eventually realize enlightenment/awakening (bodhi) and thereby become Buddhas i.e., Awakened Ones. Hence, Buddhism is universalistic. Everyone has great spiritual potential waiting to be unleashed no matter how depraved they might look.

All life is to be treasured. It matters not how lowly such life may seem. Treasuring the lives of those who, in many cases, have not valued lives of others is an act of spiritual courage. The *Dhammapada* speak of killing: 'Everyone fears punishment; everyone fears death, just as you do. Therefore do not kill or cause to kill. Everyone fears punishment; everyone loves life, as you do. Therefore do not kill or cause to kill.' Rehabilitation enables the convicted criminal defendant to realize his or her mistakes and to attempt to avoid them in the future. In Buddhist terms, a rehabilitated offender, even a murderer, will remember his or her *Buddha-nature*. For society, reforming a wrongdoer means regaining a productive member who can somehow contribute to the general welfare.

Further Reading

1. Damien P. Horigan, "Of Compassion and Capital Punishment: A Buddhist Perspective on the Death Penalty," *The American Journal of Jurisprudence*, Vol. 41, Notre Dame Law School, Natural Law Institute, 1996: 271-288. (This article is also available at <http://ccbs.ntu.edu.tw/FULLTEXT/JR-PHIL/damin2.htm>).
2. Trevor Ling, *Buddhist Revival in India: Aspects of the Sociology of Buddhism*, Macmillan, 1980.
3. Y. Tamura (ed), *Living Buddhism in Japan, Tokyo*: International Institute for the Study of Religions, 1960: Chapter IX.